

Subcommittee Members
Mayor Rich Tran
Vice Mayor Karina Dominguez



AGENDA
City Council Rules Subcommittee
Friday, August 23, 2019

12:00 PM

Milpitas City Hall, Committee Room 1st floor
455 E. Calaveras Blvd., Milpitas

1. Call to Order / Roll Call / Pledge of Allegiance
2. Approve Meeting Minutes of August 9, 2019
3. Public Forum *Comments limited to three minutes or less*
4. Review of Regular City Council meeting agendas
 - Draft September 3, 2019 meeting agenda
 - Review List of Agenda Items for September 17, 2019
 - Receive/review any City Council Agenda Request Forms submitted
5. Other Topics
 - Discuss framework for changes to the approved agenda such as Closed Session and time sensitive items
6. Confirm Next Meeting Date/time: Friday, September 6, 2019 - time TBD
7. Adjourn

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Subcommittee after initial distribution of the agenda are available for public inspection at the City Clerk's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas during normal business hours. Call 408-586-3001 for any questions.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035
Phone 408-586-3040 e-mail cdiaz@ci.milpitas.ca.gov

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

MEETING MINUTES
MILPITAS CITY COUNCIL
RULES SUBCOMMITTEE

Minutes of:	City Council Rules Subcommittee
Date:	Friday, August 9, 2019
Time:	3:00 PM
Location:	Milpitas City Hall, Committee Room 455 E. Calaveras Blvd., Milpitas, CA

1. Call to order and Roll Call: Meeting was called to order by Mayor Tran at 3:02 PM. Mayor and Vice Mayor Dominguez were present along with City Attorney Chris Diaz, Assistant City Manager Ashwini Kantak, Interim City Manager Steve McHarris and City Clerk Mary Lavelle
2. Approve Meeting Minutes – Minutes of June 7, 2019 meeting were approved.
3. Public Forum - none
4. Review of Regular City Council meeting agendas
 - Assistant City Manager reviewed all items listed on the draft agenda for August 20, 2019 City Council agenda prepared by the City Clerk. Staff responded to a few questions regarding topics. Ms. Kantak said staff would add one item: approve travel for Councilmembers and City Manager to attend SVO conference in September.
 - Mayor and Vice Mayor agreed the August 20 draft agenda looked fine.
 - The Subcommittee viewed the list of anticipated agenda reports for the September 3, 2019 City Council meeting prepared by the City Clerk.
 - No City Council Agenda Request Forms had been received to review.

City Attorney Chris Diaz noted that several agenda items would be coming forward in September from the Council Subcommittee on Housing.

Mayor Tran said that following the summer break period in July, he wished to welcome everyone back in August by having a short reception with snacks and drinks, before the business portion of the meeting began. Staff could assist him with hosting.

Members discussed start time for the next Rules meeting and those in the future. Vice Mayor Dominguez asked Mayor and staff if they would leave open, or flexible, the start time for each meeting, due to changes in her work schedule. Mayor agreed.

5. Adjourn: Mayor Tran adjourned the meeting at 3:30 PM. The next Rules meeting would be scheduled on Friday, August 23, 2019 at 12:00 PM.

*Minutes prepared by
Mary Lavelle, City Clerk*



CITY COUNCIL MEETING

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-3122

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3232

AGENDA

TUESDAY, SEPTEMBER 03, 2019
COUNCIL CHAMBERS, 455 E. CALAVERAS BLVD., MILPITAS, CA 95035

[NO CLOSED SESSION]

7:00 PM

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk

ADJOURN TO CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT: Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATION

- Proclaim Sept 2-6, 2019 as National Payroll Week

PUBLIC FORUM

Those in the audience are invited to address City Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit spoken remarks to three minutes. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. Council may instruct the City Manager to place the item on a future meeting agenda.

ANNOUNCEMENTS

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

APPROVAL OF AGENDA

CONSENT CALENDAR

Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a City Councilmember, member of the audience or staff requests the Council to remove an item from (or be added to) the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

- C1. Receive City Council Calendar of Meetings for September 2019 (Staff Contact: Mary Lavelle 408-586-3001)**
- C2. Approve City Council meeting minutes for August 9, 13, and 20, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)**
- C3. Waive The Second Reading and Adopt Ordinance No. 43.212 amending Milpitas Municipal Code, Title V, Chapter 100, Section 15.06 "Parking Time Limited on Certain Enumerated Streets" (Staff Contact: Steve Chan, 408-586-3324)**

Recommendation: Waive The Second Reading and Adopt Ordinance No. 43.212 amending Milpitas Municipal Code, Title V, Chapter 100, Section 15.06 "Parking Time Limited on Certain Enumerated Streets."

- C4. Waive Second Reading and Adopt Ordinance No. 38.834 Amending Milpitas Municipal Code Title XI, Chapter 10, Sections 2, 7, 10, and 13 Relating to Temporary Public Safety Facilities. (Staff Contact: Rozalynne Thompson, 408-586-3278)**

Recommendation: Move to waive the second reading and adopt Ordinance No. 38.836 Amending Milpitas Municipal Code Title XI, Chapter 10, Sections 2, 7, 10, and 13 Relating to Temporary Public Safety Facilities.

- C5. Adopt a Resolution Directing Staff to Fly City Event Celebration and/or Commemorative Flags at Various Events from October 2019 through December 2020 (Renee Lorentzen, 408-586-3409)**

Recommendation: Adopt a Resolution Directing Staff to Fly City Event Celebration and/or Commemorative Flags at Various Events from October 2019 through December 2020

- C6. Adopt a Resolution Approving the Green Stormwater Infrastructure Plan as Required by the Municipal Regional Stormwater Permit (Steve Erickson, 408-586-3301)**

Recommendation: Adopt a resolution approving the Green Stormwater Infrastructure Plan as Required by the Municipal Regional Stormwater Permit.

- C7. Adopt a Resolution Certifying Election Results and Adding Tract No. 10455 to Community Facilities District 2008-1 (Annexation No. 17); Approve Final Tract Map No. 10455; and Approve and Authorize the Interim City Manager to Execute the Subdivision Improvement Agreement for a Residential Development at 1992 Tarob Court (Steve Erickson, 408-586-330)**

Recommendations:

1. Following receipt of election result, adopt a resolution certifying election results and adding Tract No. 10455 to Community Facilities District 2008-1 (Annexation No. 17); and
2. Approve Final Tract Map No. 10455, including approval of street names and accept all offers of dedications as stated and depicted on the final map upon completion and acceptance of improvements; and
3. Approve and authorize the Interim City Manager to execute the Subdivision Improvement Agreement between the City of Milpitas and Toll West Coast LLC.

C8. Approve Fiscal Year 2018-19 Year-End Budget Adjustments (Walter C. Rossmann, 408-586-3111)

Recommendation:

Approve the Fiscal Year 2018-19 year-end budget appropriations in the General Fund and Community Development Block Grant Fund

C9. Approve and Authorize the Interim City Manager to Execute an Improvement Agreement for a Commercial Development at 521 Alder Drive (Steve Erickson, 408-586-3301)

Recommendation: Approve and Authorize the Interim City Manager to Execute the Improvement Agreement between the City of Milpitas and LD Milpitas Property, LLC.

C10. Approve Conceptual Plan for Sandalwood Park Renovation, Project No. 5110 (Steve Erickson, 408-586-3301)

Recommendation: Approve Conceptual Plan for Sandalwood Park Renovation, Project No. 5110

C11. Award the Bid and Authorize the City Manager to Execute the Agreement with 2Meart.com for Citywide Clothing, Jackets, and Caps for the Five-Year Not-To-Exceed Contract Amount of \$205,250 (Staff Contact: Chris Schroeder, 408-586-3161)

Recommendation: Award the Bid and Authorize the City Manager to Execute the Agreement with 2Meart.com for Citywide Clothing, Jackets, and Caps for the Five-Year Not-To-Exceed Contract Amount of \$205,250.

C12. Accept the FY 2020 Office of Traffic Safety (OTS) for the 2020 Selective Traffic Enforcement Program (STEP) (Staff Contact: Captain Jared Hernandez, 408-586-2406)

Recommendation: Accept the 2020 Office of Traffic Safety (OTS) for the 2020 Selective Traffic Enforcement Program (STEP) in the amount of \$83,000.

C13. Consider Mayor's Recommendation and move to appoint four current Alternate Members as Voting Commissioners and Re-appoint three members of the Milpitas Youth Advisory Commission (Contact: Mayor Tran, 408-586-3029)

Recommendation: Receive Mayor Tran's recommendation, and move to appoint four current Alternate Members as Voting Commissioners and re-appoint three members of the Milpitas Youth Advisory Commission to terms that will expire in September of 2022.

C14. Consider Mayor's Recommendation and Move to Appoint 2 New Members to the Milpitas Economic Development & Trade Commission (Contact: Mayor Tran, 408-586-3029)

Recommendation: Receive Mayor Tran's recommendations, and move to newly appoint Inderjit Munda as Chamber of Commerce representative and _____ to the Economic Development & Trade Commission.

C15. Authorize and Approve Travel to Long Beach, CA for City Councilmember along with Interim City Manager to Attend the Annual Conference of the League of California Cities held October 16-18, 2019 (Staff Contact: Ashwini Kantak, 408-586-3053)

Recommendation: Authorize and approve travel to Long Beach, CA for 4 City Councilmembers along with Interim City Manager to attend the Annual Conference of the League of California Cities held October 16-18, 2019 for a combined total expense amount not to exceed budgeted Conferences/ Meeting allocation for City Council and for City Manager.

- C16. Consider Requests from Two Non-Profit Organizations for \$500 Donations toward Hangeul Day Event at Milpitas Library and for Mid-Autumn Festival in Milpitas (Staff Contact: Mary Lavelle, 408-586-3001)**

Recommendation: Consider applications from two Non-Profit Organizations for \$500 donations and approve those for Hangeul Day on September 19, 2019 at Milpitas Library and for Mid-Autumn Festival at SJCC Milpitas Extension on September 28, 2019.

- C17. Authorize Mayor's Response Letter to the 2018-2019 Santa Clara County Civil Grand Jury Final Report "Inquiry into the Governance of the Valley Transportation Authority" (Staff Contact: Ashwini Kantak, 408-586-3053)**

Recommendation: Authorize Mayor's response letter to the 2018-2019 Santa Clara County Civil Grand Jury Final Report "Inquiry into the Governance of the Valley Transportation Authority."

- C18. Appoint One Councilmember as a Regular Director and One Staff Alternate to the Silicon Valley Clean Energy Board of Directors (Steve McHarris, 408-586-3059)**

Recommendation: Consider and appoint Councilmember Montano as a Regular Director and Public Works Director as Staff Alternate to the Silicon Valley Clean Energy Board of Directors, to terms that will expire _____.

PUBLIC HEARINGS

- 19. Conduct a Public Hearing and Approve the City of Milpitas 2019 Public Health Goals Report on Water Quality (Staff Contact: Tony Ndah, 408-586-2602)**

Recommendations:

1. Receive public comments and then move to close the public hearing.
2. Accept and approve the City of Milpitas 2019 Public Health Goals Report on Water Quality in accordance with provisions of the California Health and Safety Code.

- 20. Hold a Public Hearing and Consider Approving the Draft FY 2018-2019 Community Development Block Grant (CDBG)'s Consolidated Annual Performance Evaluation Report (CAPER) (Staff Contact: Robert Musallam, 408-586-3275)**

Recommendations:

- 1) Open the public hearing, hear testimony, then move to close the public hearing.
- 2) Approve the draft FY 2018-2019 Community Development Block Grant (CDBG)'s Consolidated Annual Performance Evaluation Report (CAPER).
- 3) Authorize the Interim City Manager (or his designee) to make any necessary changes to the approved draft FY 2018-2019 CAPER, as needed, to comply with submission guidelines.

- 21. Conduct a Public Hearing and Adopt a Resolution for the Summary Vacation of an Existing Public Service and Utility Easement at 1646 Centre Pointe Drive (Staff Contact: Steve Erickson, 408-586-3301)**

Recommendations:

1. Conduct a public hearing and move to close it, following any comments; and
2. Adopt a resolution for the summary vacation of an existing Public Service and Utility Easement; and
3. Direct the City Clerk to have recorded a certified copy of the adopted Resolution, including Exhibits A and B, attested by the City Clerk under seal, with the County of Santa Clara Recorder.

REPORTS OF MAYOR & COUNCILMEMBERS - from the assigned Commissions, Committees and Agencies

- 22. Receive 5 Request Forms for Future Agenda Items from Councilmembers Nunez and Phan (Contact: Councilmember Nunez, 408-586-3023)**

Recommendation: Hear request of Councilmembers Nunez and Phan submitted on Agenda Item Request Forms for Aug. 23 Rules Subcommittee for these five items on future City Council agendas: rename Dixon Landing Road as Barack Obama Blvd; Community Museum and Park; feasibility study of Community Theater; social media; and proclamation and commendation process.

NEXT AGENDA PREVIEW

- 23. Receive Preview List for the Next Regular City Council Meeting Scheduled for September 17, 2019 (Staff Contact: Mary Lavelle, 408-586-3001)**

ADJOURNMENT

TENTATIVE CITY COUNCIL AGENDA ITEM LIST

as of 08/22/2019

5:00 PM

SEPTEMBER 17, 2019 - 3rd Tuesday

CLOSED SESSION

Litigation matters

INVOCATION (assigned to: Cmbr Montano)

PRESENTATIONS

CONSENT CALENDAR

Accept City Council calendars for September and October 2019

Approve City Council meeting minutes of August 30 and September 3, 2019

Adopt a Resolution per PERS to hire retired annuitant as contract Hazmat Inspector (Liz Brown, Albert Zamora)

Award Construction Contract for CIP No. 5055 Alviso Adobe (Steve Erickson)

Approve Plans & Specs for the TASP On-Street Parking Program CIP No. 2017 and Award Contract (Steve Chan)

Approve Maintenance Service Agreement with TEC Accutite for Aboveground & Underground Storage Tank

Maintenance and Certification Services for Not to Exceed \$245,250 over 5 years (Tony Ndah)

From 8/20: Receive Final Edition Adopted Resolution with findings approving 2001 Tarob Ct. (City Attorney)

PUBLIC HEARINGS

1st reading/Introduce Ordinance No. 38.835 regulating Short Term Rentals (Daniel Degu)

1st reading/Introduce Ordinance No. xxx for a Rent Review Program (Sharon Goei)

Appeal of past Planning Commission Decision re: GeoMax/Tarob Ct. (Ned Thomas)

COMMUNITY DEVELOPMENT

Adopt a Resolution authorizing the creation of the Pilot Rent Relief Program (Sharon Goei)

Report on Census 2020 (City Manager's office)

COMMUNITY SERVICES

Award Contract for Water and Sewer Master Plan (Tony Ndah)

PUBLIC SAFETY

Presentation of Unmanned Aerial System (UAS) technology and approve implementation (Jared Hernandez)

LEADERSHIP– carried over from August 20

Facility Use Manual (Renee Lorentzen)

Direction to Staff on Training and Events policies (Ashwini Kantak)

REPORTS

Select and confirm appointment of 1 Councilmember as voting delegate + 1 or 2 Councilmembers as Alternates to

League of CA Cities Annual Conference in Long Beach, CA scheduled October 16-18, 2019 (Mary Lavelle)

PREVIEW NEXT AGENDA

Preview list of items for October 1, 2019 regular City Council meeting (Mary Lavelle)

MAJOR DISCUSSION ITEMS FOR MILPITAS CITY COUNCIL

[illegible]



AGENDA ITEM REQUEST FORM

Please complete and submit this form to the City Manager.

Aug 20, 2019

Request Date

Councilmember Nuñez



Councilmember Phan



City Council Members Submitting Request

☐

Urgent Item

Reason for Urgency

insert text here

Time frame for the item to be heard

(e.g., within 60 days or within 2 Council meetings)

Alignment with Council Priority Area(s):

☐

Public Safety

☐

Economic Development and Job Growth

☐

Environment

☐

Neighborhoods and Housing

☐

Transportation and Transit

☒

Community Wellness and Open Space

☒

Governance and Administration

Name of Item:

Renaming of Dixon Landing Road to Barack Obama Blvd

Enter item description and why the item is being requested for Council consideration. To ensure compliance with the Brown Act, no position on the item should be included in the item description.



AGENDA ITEM REQUEST FORM

Please complete and submit this form to the City Manager.

Aug 20, 2019

Request Date

Councilmember Nuñez



Councilmember Phan



City Council Members Submitting Request

☐

Urgent Item

Reason for Urgency insert text here

Time frame for the item to be heard

(e.g., within 60 days or within 2 Council meetings)

Alignment with Council Priority Area(s):

☐

Public Safety

☐

Economic Development and Job Growth

☐

Environment

☐

Neighborhoods and Housing

☐

Transportation and Transit

☒

Community Wellness and Open Space

☒

Governance and Administration

Name of Item:

Community Museum and Park

Enter item description and why the item is being requested for Council consideration. To ensure compliance with the Brown Act, no position on the item should be included in the item description.



AGENDA ITEM REQUEST FORM

Please complete and submit this form to the City Manager.

Aug 20, 2019

Request Date

Councilmember Nuñez



Councilmember Phan



City Council Members Submitting Request

☐

Urgent Item

Reason for Urgency insert text here

Time frame for the item to be heard

(e.g., within 60 days or within 2 Council meetings)

Alignment with Council Priority Area(s):

☐

Public Safety

☒

Economic Development and Job Growth

☐

Environment

☐

Neighborhoods and Housing

☐

Transportation and Transit

☒

Community Wellness and Open Space

☐

Governance and Administration

Name of Item:

Feasibility study of Community Theatre.

Enter item description and why the item is being requested for Council consideration. To ensure compliance with the Brown Act, no position on the item should be included in the item description.



AGENDA ITEM REQUEST FORM

Please complete and submit this form to the City Manager.

Aug 20, 2019

Request Date

Councilmember Nuñez



Councilmember Phan



City Council Members Submitting Request

☐

Urgent Item

Reason for Urgency

insert text here

Time frame for the item to be heard

(e.g., within 60 days or within 2 Council meetings)

Alignment with Council Priority Area(s):

☐

Public Safety

☐

Economic Development and Job Growth

☐

Environment

☐

Neighborhoods and Housing

☐

Transportation and Transit

☐

Community Wellness and Open Space

☒

Governance and Administration

Name of Item:

Social Media

Enter item description and why the item is being requested for Council consideration. To ensure compliance with the Brown Act, no position on the item should be included in the item description.



AGENDA ITEM REQUEST FORM

Please complete and submit this form to the City Manager.

Aug 20, 2019

Councilmember Nufiez



Councilmember Phan



Request Date

City Council Members Submitting Request

☐

Urgent Item

Reason for Urgency

insert text here

Time frame for the item to be heard

(e.g., within 60 days or within 2 Council meetings)

Alignment with Council Priority Area(s):

☐

Public Safety

☐

Economic Development and Job Growth

☐

Environment

☐

Neighborhoods and Housing

☐

Transportation and Transit

☐

Community Wellness and Open Space

☒

Governance and Administration

Name of Item:

Proclamation and Commendation Process

Enter item description and why the item is being requested for Council consideration. To ensure compliance with the Brown Act, no position on the item should be included in the item description.